

## **Item SPR05-30 Response Form**

**Title:** Juvenile: Request to Change Dependency Petitions and Modification Request  
(revise forms JV-100, JV-101, JV-110, JV-180)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

Please **write** or **fax** or **respond using the Internet** to:

**Address:** Ms. Romunda Price,  
Judicial Council, 455 Golden Gate Avenue,  
San Francisco, CA 94102  
**Fax:** (415) 865-7664      **Attention:** Romunda Price  
**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

<b>DEADLINE FOR COMMENT:</b> 5:00 p.m., Monday, June 20, 2005
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council, the Rules and Projects Committee, or the Policy Coordination and Liaison Committee.  
All comments will become part of the public record of the council's action..*

## Invitation to Comment (SPR05-30)

Title	Juvenile: Request to Change Dependency Petitions and Modification Request (revise forms JV-100, JV-101, JV-110, JV-180)
Summary	<p>Welfare and Institutions Code section 388 allows parties in a dependency proceeding and other interested individuals to petition the court to modify or set aside a prior order. JV-180 is used to request a hearing pursuant to section 388. The proposed plain-language revisions to form JV-180 would make the form easier to understand and complete and would improve access to the juvenile court for dependent children, siblings, caregivers, and other interested individuals requesting modification of an order. JV-180 would also be modified to become a standalone form. Alternative petition forms JV-100 and JV-110 and form JV-101, used as an attachment to form JV-100 for additional children, would also be modified.</p>
Source	<p>Family and Juvenile Law Advisory Committee Hon. Mary Ann Grilli and Hon. Susan D. Huguenor, Co-chairs</p>
Staff	Carrie Zoller, 415-865-8829, carrie.zoller@jud.ca.gov
Discussion	<p>The Family and Juvenile Law Advisory Committee recommends revising forms JV-180, <i>Modification Petition Attachment</i>; JV-100, <i>Juvenile Dependency Petition (Version One)</i>; JV-110, <i>Juvenile Dependency Petition (Version Two)</i>; and JV-101, <i>Additional Children Attachment</i>.</p> <p><b>Modification: JV-180</b></p> <p>The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise form JV-180, <i>Modification Petition Attachment</i>, used to request modification of a dependency order. This form would be revised to (1) make it easier to understand and complete for children, caregivers, and other individuals who are not represented by counsel and (2) make it a standalone request for modification and order of modification.</p> <p>The proposed revised form would elicit the same substantive information as the current JV-180 and retains a court order section. Rewritten in the plain-language format, JV-180 seeks information through a series of simple questions. The court order section of JV-180 has been revised to conform to section 388, which does not require that siblings allege new evidence or a change of circumstances.</p> <p>The revised form would make it easier for the dependent child to have his or her voice heard by the court if the child's attorney is not adequately representing the child's interests. It also gives siblings</p>

## Invitation to Comment (SPR05-30)

greater access to assert his or her rights under Welfare and Institutions Code section 388(b). The proposed revisions would also make it easier for caregivers to provide information about the needs and desires of the dependent child to the court.

The current form is intended to be filed in conjunction with either JV-100 or JV-110, *Juvenile Dependency Petition*. These forms request confidential information to which nonparties do not have access. Unfortunately, clerks have sometimes rejected requests for modifications submitted by nonparties when the petition is incomplete. By making JV-180 a standalone form, the child, and nonparties, such as siblings or caregivers, will not face this problem.

### **Dependency Petitions and Attachment: JV-100, JV-110, JV-101**

Judicial Council forms JV-100 and JV-110 are used to file original and subsequent petitions requesting detention under section 300. The choice of form depends upon the number of children detained and the county in which it is filed. Because the recommendation is to make JV-180 a stand-alone form, JV-100 and JV-110 would be revised to delete references in the caption to section 388 modification requests.

Forms JV-100, JV-101, and JV-110 would also be revised to state that they are mandatory forms. Rule 1407 allows counties to use JV-100 to file separate petitions for each child in a given family or to use JV-110 or JV-100 along with JV-101 to file a joint petition for siblings. These forms were marked as optional because the counties have discretion to decide whether to use JV-100 for families with one child, JV-100 and JV-101 for families with more than one child, or JV-110 for families with one child or more. The following revisions would clarify that the county must file the petition on a mandatory Judicial Council form: (1) JV-100 would state that it is a “Form Adopted for Alternative Mandatory Use Instead of Form JV-110”; (2) JV-101 would state that it is a “Form Adopted for Mandatory Use”; and (3) JV-110 would state that it is a “Form Adopted for Alternative Mandatory Use Instead of JV-100.” The language would also be revised to be gender neutral.

The revised forms are attached at page 3–9.

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Attachments

PETITIONER OR ATTORNEY (Name, State Bar number and address):      TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>      <b>Draft 2</b> <b>02/24/05 kb</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b>  STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	
<b>JUVENILE DEPENDENCY PETITION (VERSION ONE)</b> <b>(Welf. &amp; Inst. Code, § 300 et seq.)</b>  <input type="checkbox"/> § 300—Original <input type="checkbox"/> § 342—Subsequent <input type="checkbox"/> § 387—Supplemental	CASE NUMBER: _____  RELATED CASES (if any): _____

## 1. Petitioner on information and belief alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code (check applicable boxes; see attachments for concise statements of facts): <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)			
b. Child's name: _____		c. Age: _____	d. Date of birth: _____
e. Sex: _____			
f. Name: _____ Address: _____ <input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian	g. Name: _____ Address: _____ <input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian		
h. Name: _____ Address: _____ <input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian	i. Other (state name, address, and relationship to child):   <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent (name): _____ <input type="checkbox"/> parent (name): _____ <input type="checkbox"/> guardian (name): _____ <input type="checkbox"/> other (state name, address, and relationship to child): _____	k. Child <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: _____ Current place of detention (address): _____  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		
l. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized			
m. <input type="checkbox"/> Indian tribe. Child may be of Indian ancestry.			

CHILD'S NAME:  	CASE NUMBER:  
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2. Petitioner requests that the court find these allegations to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.  
Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

Address and telephone number:

☐ Number of pages attached: \_\_\_\_\_ ☐ Other children are listed on *Additional Children Attachment* (form JV-101)

## — NOTICE —

### TO PARENT

Your parental rights may be permanently terminated. To protect your rights, you must appear in court and answer this petition.

### TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD

You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for you or your child by a public defender or other attorney, and the cost of supervision of your child by order of the juvenile court.

CHILD'S NAME:	CASE NUMBER:
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## 3. Petitioner on information and belief further alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code ( <i>check applicable boxes. See attachments for concise statements of facts:</i> ): <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)				
b. Child's name:		c. Age:	d. Date of birth:	e. Sex:
<input type="checkbox"/> Information is the same as that given for the child in item 1. ( <i>If not the same, provide different information below.</i> )				
f. Name: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div> Address: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div>	<input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian	g. Name: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div> Address: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div>	<input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian	
h. Name: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div> Address: <div style="background-color: #cccccc; width: 100px; height: 1.2em; display: inline-block;"></div>	<input type="checkbox"/> unknown <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian	i. Other ( <i>state name, address, and relationship to child:</i> )  <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent ( <i>name:</i> ) <div style="background-color: #cccccc; width: 150px; height: 1.2em; display: inline-block;"></div> <input type="checkbox"/> parent ( <i>name:</i> ) <div style="background-color: #cccccc; width: 150px; height: 1.2em; display: inline-block;"></div> <input type="checkbox"/> guardian ( <i>name:</i> ) <div style="background-color: #cccccc; width: 150px; height: 1.2em; display: inline-block;"></div> <input type="checkbox"/> other ( <i>state name, address, and relationship to child:</i> ) <div style="background-color: #cccccc; width: 150px; height: 1.2em; display: inline-block;"></div>		k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention ( <i>address:</i> )  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		
l. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe.				
m. <input type="checkbox"/> Child may be of Indian ancestry.				

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code ( <i>check applicable boxes. See attachments for concise statements of facts:</i> ): <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)				
b. Child's name:		c. Age:	d. Date of birth:	e. Sex:
<input type="checkbox"/> Information is the same as that given for the child in item 1. ( <i>If not the same, provide different information below.</i> )				
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m. <input type="checkbox"/> Child may be of Indian ancestry.				

PETITIONER OR ATTORNEY (Name, State Bar number and address):     TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>     <b>Draft 3A</b> <b>04/14/05 mc</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b>  STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	CASE NUMBER: _____
<b>JUVENILE DEPENDENCY PETITION (VERSION TWO)</b> <b>(Welf. &amp; Inst. Code, § 300 et seq.)</b>  <input type="checkbox"/> § 300—Original <input type="checkbox"/> § 342—Subsequent <input type="checkbox"/> § 387—Supplemental	RELATED CASES (If any): _____

## 1. Petitioner on information and belief alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code (check applicable subdivisions for each child; see attachments for concise statements of facts):																															
b. <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Child's name</th> <th style="text-align: left; border-bottom: 1px solid black;">Age</th> <th style="text-align: left; border-bottom: 1px solid black;">Date of birth</th> <th style="text-align: left; border-bottom: 1px solid black;">Sex</th> <th style="text-align: left; border-bottom: 1px solid black;">Section 300 subdivisions (check all that apply)</th> </tr> </thead> <tbody> <tr> <td>1. _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td><input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j</td> </tr> <tr> <td>2. _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td><input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j</td> </tr> <tr> <td>3. _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td><input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j</td> </tr> <tr> <td>4. _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td><input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j</td> </tr> <tr> <td>5. _____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td><input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j</td> </tr> </tbody> </table>	Child's name	Age	Date of birth	Sex	Section 300 subdivisions (check all that apply)	1. _____	_____	_____	_____	<input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j	2. _____	_____	_____	_____	<input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j	3. _____	_____	_____	_____	<input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j	4. _____	_____	_____	_____	<input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j	5. _____	_____	_____	_____	<input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/> e <input type="checkbox"/> f <input type="checkbox"/> g <input type="checkbox"/> h <input type="checkbox"/> i <input type="checkbox"/> j	c. Name: <input type="checkbox"/> unknown Address: <input type="checkbox"/> mother <input type="checkbox"/> presumed father <input type="checkbox"/> alleged father <input type="checkbox"/> guardian
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i. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe. j. <input type="checkbox"/> Child may be of Indian ancestry.																															

CHILD'S NAME: _____	CASE NUMBER: _____
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2. Petitioner requests that the court find these allegations to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF PETITIONER)
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Address and telephone number :

☐ Number of pages attached: \_\_\_\_\_

## — NOTICE —

### TO PARENT

Your parental rights may be permanently terminated. To protect your rights, you must appear in court and answer this petition.

### TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD

You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for you or your child by a public defender or other attorney, and the cost of supervision of your child by order of the juvenile court.



Clerk stamps date here when form is filed.

**DRAFT6  
03/10/05 kb**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number, if known:

**Case Number:**

- ① Information about the child:
- a. Child's name: \_\_\_\_\_
  - b. Case number (if known): \_\_\_\_\_
  - c. Date of birth: \_\_\_\_\_
  - d. Child's attorney (if known): \_\_\_\_\_
  - e. The child lives with (check all that apply and provide names, if known):  
☐ parents ☐ legal guardians ☐ relative  
☐ foster home ☐ group home
  - f. Parents' names (if known): \_\_\_\_\_
  - g. Social worker's name (if known): \_\_\_\_\_

- ② If you are the child, check this box ☐ and skip to item 5.

- ③ Information about you:
- a. Your name: \_\_\_\_\_
  - b. If you are an attorney filling out this form for a client, complete the following information and then skip to item 5.  
 Your client's name: \_\_\_\_\_  
 Your client's relationship to the child: \_\_\_\_\_
  - c. Your relationship to the child: \_\_\_\_\_

- ④ If you are a brother or sister of the child, check all that apply:
- a. ☐ We share the same mother.
  - b. ☐ We share the same father.
  - c. ☐ We are related through adoption.

- ⑤ On (date, if known): \_\_\_\_\_ the judge made the following decision that you feel should be changed:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- ⑥ What do you want the judge to do now?
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- ⑦ What changed after the judge's decision that is new information you want to tell the judge?
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

☐ Check here if you need more space. Attach a sheet of paper and write "JV-180, item 7-New Information" at the top of the page

Case Number:

Your name:

8

Why would the changes you are requesting be better for the child?

9

I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct to my knowledge. I understand that this means I am guilty of a crime if I lie on this form.

Date:

Type or print your name

Sign your name

The clerk will send notice of this request to all persons required to receive notice under Welfare and Institutions Code section 386 and rule 1407 of the California Rules of Court.

**This is a Court Order.**

Clerk will fill out section below.

### The Court Finds and Orders:

10

The petition is agreed to by all parties and attorneys of record. The petition to modify orders is granted

a. ☐ as requested in item 6.

b. ☐ as follows (*state specific modifications*):

11

The petition states a change of circumstances or new evidence (unless petition was filed by a sibling) and that the best interest of the child may be promoted by the proposed modifications. The matter is set for hearing on (date): at (time): a.m./p.m. in Dept:.

☐ The hearing will be conducted by review of declarations and other documentary evidence only, under rule 1432 of the California Rules of Court. No testimony will be received unless good cause is shown for the necessity of specific testimony. Offers of proof will be required.

12

The petition is denied because

a. ☐ the petition is not verified.

b. ☐ the petition fails to state facts that support the allegations.

c. ☐ the petition is not filed by a sibling and fails to state new evidence or a change of circumstances.

d. ☐ the petition fails to show how the requested modification will promote the best interest of the child.

e. ☐ Other (*state specific reasons*):

Date:

Judge (or Judicial Officer)